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July 28, 2022

**VIA ECF**

Hon. Renée Marie Bumb, U.S.D.J.  
United States District Court for the District of New Jersey  
Mitchell H. Cohen Building and U.S. Courthouse  
4<sup>th</sup> and Cooper Streets  
Camden, NJ 08101

Re: Sentinel Insurance Company, Ltd. v. Conrad J. Benedetto, et al.  
Conrad J. Benedetto, et al. v. Sentinel Insurance Company, Ltd., et al.  
Consolidated Civil Action No. 1:19-cv-20142-RMB-AMD

Dear Judge Bumb:

We represent Sentinel Insurance Company, Ltd. (“Sentinel”) in the above-referenced consolidated action, which was closed on May 19, 2021. We write in response to the July 21, 2022 letter submission of attorney Conrad J. Benedetto concerning his February 22, 2022 motion for relief pursuant to F.R.C.P. 60(b)(2) and Mr. Benedetto’s new tender to Sentinel on July 20, 2022 of a Second Amended Complaint filed in *Nava v. The Law Offices of Conrad J. Benedetto, et al.*, Case No. CAM-L-004588-18 (N.J. Super. Ct., Camden Co.) (“Nava Action”), one of two underlying actions that were at issue in the matter before the Court.

As Your Honor may recall, on February 22, 2022, Mr. Benedetto and his firm belatedly filed a motion for relief from this Court’s March 22, 2021 Order pursuant to Federal Rule of Civil Procedure 60(b)(2). The Court’s March 22, 2021 Order denied Mr. Benedetto’s motion for summary judgment and granted Sentinel’s motion for summary judgment finding that Sentinel did not have a duty to defend Mr. Benedetto or his firm in the two underlying actions. The Court’s Order was based on its review of the Sentinel policies, as well as the original complaints in the two underlying actions, including the Nava Action. Attorney Benedetto’s Rule 60(b)(2) motion is currently *sub judice*.

Mr. Benedetto now seeks to improperly supplement his February 22, 2022 motion wherein he seeks relief from the Court’s March 22, 2021 Order. Despite Mr. Benedetto’s statement that he previously provided Sentinel’s counsel a copy of the Second Amended Complaint in the Nava Action, it should be emphasized that the amended pleading was first provided to the undersigned on the afternoon prior to Mr. Benedetto’s submission on July 20, 2022. The Second Amended Complaint has been forwarded to Sentinel for consideration and it will respond accordingly.

Sentinel respectfully submits that it is not proper for this Court to address the recently tendered amended pleading in connection with the pending Rule 60(b)(2) motion in this action, which related to this Court’s determinations with respect to the original complaints tendered to

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Sentinel in the Nava Action and the other underlying action. The amended pleading in the Nava Action has not yet been considered by Sentinel and has no bearing on the original claims for coverage made by Mr. Benedetto and his law firm that were adjudicated by this Court. Moreover, as made clear by F.R.C.P. 60(c)(1), a motion under Rule 60(b)(2) must be made no more than a year after entry of the order or judgment or date of the proceeding. The present effort to “supplement” the fully-submitted motion more than 16 months after this Court’s summary judgment order is entirely improper. Accordingly, this Court should deny Mr. Benedetto’s motion to reopen this action.

Thank you for Your Honor’s time and consideration.

Respectfully submitted,

*/s/ Patrick D. Bonner, Jr.*

Patrick D. Bonner, Jr.

cc: All Counsel (by ECF)